



W.P.(MD)No.6474 of 2014

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.02.2023

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.(MD)No.6474 of 2014

and

M.P.(MD).No.2 of 2014

1.S.Selvaraj

2.A.Vankataraman

... Petitioners

Vs.

1.The Chief Engineer,
National highways,
Cheppakkam,
Chennai.

M/s.Power Grind Corporation of India Ltd.,
(A Government of India Undertaking)
No.765/400 Kilo Thoothukudi Pooling Station,
Ettayapuram-628 902,
Tuticorin District.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, forbearing the respondent, his men, Servants, agents, officers or any one acting on their behalf from in any way entering into the Schedule-I land belonging to the first petitioner and the Schedule-II land belonging to the second petitioner and carry out any



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construction of any nature either permanent or temporary, and carry out any work in their land, except otherwise than accordance with law, under the provisions of the Electricity Act and the allied Enactments, after notice to the petitioners.

For Petitioners :Ms.P.Jessi Jeeva Priya

For Respondent :Mr.S.Suresh

ORDER

This writ petition has been filed seeking for a mandamus, forbearing the respondent from in any way entering into the Schedule-I land belonging to the first petitioner and the Schedule-II land belonging to the second petitioner and carry out any construction of any nature either permanent or temporary, and carry out any work in their land, except otherwise than accordance with law, under the provisions of the Electricity Act and the allied Enactments, after notice to the petitioners.

2.Today, when the mater was taken up for hearing, the learned counsel for the petitioner reported no instructions and had filed memo to that effect and the same is taken on record.



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3.The prayer in the writ petition is seeking for a mandamus to direct the respondent herein from in any way entering the lands belonging to the petitioner and to carry out any construction of any nature either permanent or temporary, under the provisions of the Electricity Act.

4.The prayer in the writ petition of any stretch of imagination cannot be embargo against the respondent carrying on its – that to no public instructions. Hence, the prayer in the writ petition cannot be granted and the same is liable to be dismissed.

5.Accordingly, this writ petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

27.02.2023

NCC :Yes/No
Internet :Yes/No
Index : Yes / No
sbm

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K.KUMARESH BABU, J.

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